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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,479	06/19/2003	Seiya Asano	3702/0M969US0	6321
7278	7590	06/30/2005	EXAMINER	
DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257			NGUYEN, XUAN LANT	
			ART UNIT	PAPER NUMBER
			3683	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/600,479

Applicant(s)

ASANO ET AL

Examiner

Lan Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The amendment to the specification submitted 6/8/05 is approved.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

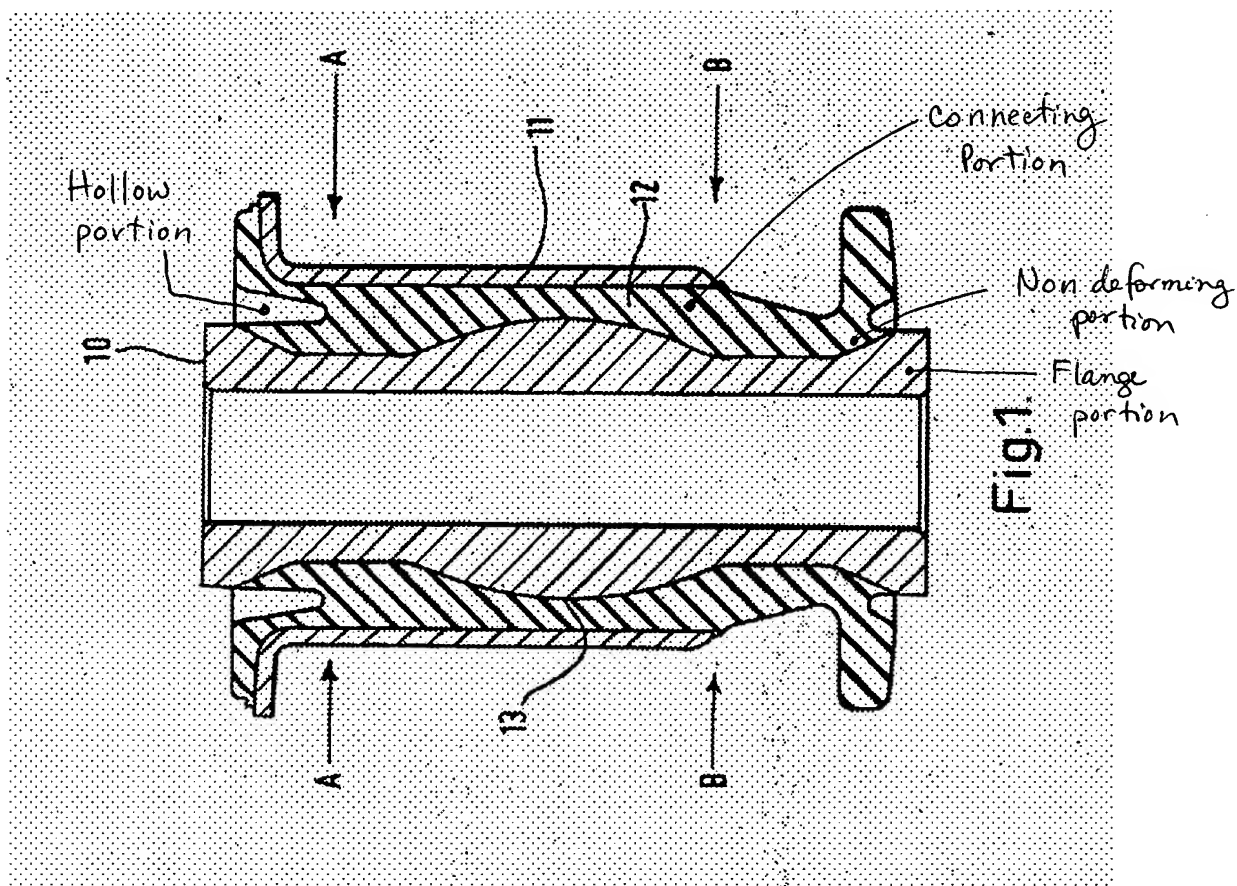
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholson (GB 2364558 A) in view of Noboru et al. (JP 11-153180).

Re: claim 1, Nicholson shows a vibration isolating bushing in figure 1, as in the present invention, comprising: a main shaft member 10 including a tubular portion, a flange portion, as marked below, extending radially outwardly from one end of the tubular portion, and a block portion 13 provided on a central portion of the tubular portion and distanced from the flange portion in an axial direction of the main shaft member; an outer cylinder member 11 disposed coaxially on an outer side of the main shaft member in a distance therefrom; and a rubber elastic body 12 disposed between the main shaft member and the outer cylinder member integral connection of the main shaft member and the outer cylinder member, said rubber elastic body including a hollow portion, as marked below, which is open in an end face away from the flange

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portion and extends in the axial direction; wherein the rubber elastic body further includes non-deforming rubber portion, please see the figure below, and a connecting portion, see the figure below; the non-deforming rubber portion fills a gap between the flange portion and an end face of the block portion facing the flange portion in the axial direction and is substantially undeformable with respect to an application of an axial load; the connecting portion is positioned between a bottom the hollow portion and the end face of the rubber elastic body on the side of the flange portion, for connecting the non-deforming rubber portion and an inner peripheral surface of an end portion of the outer cylinder member. Nicholson is silent of the cross-sectional shape of the hollow portion as claimed. Noboru et al. teach a vibration isolation bushing, especially a cross-sectional shape of a hollow portion, in figures 2 and 4. In figure 4, the hollow portion 74 extends to a vicinity of an end face of a block portion 78. In figure 2, the hollow portion 74 directly surrounds the block portion extending circumferentially and over a side surface to the main shaft member 56. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Nicholson's bushing with a hollow portion such as taught by Noboru et al. in order to provide a softer ride since it is well known in the art of dampening to change the spring constant of the elastomer member in order to achieve a desired dampening results as evidenced by Norobu et al.



Re: claim 2, Nicholson shows the radial outer peripheral surface of the block portion 13 to be located more inwardly than an outer peripheral end of the flange portion.

Re: claim 3, Nicholson further shows the connecting portion to be offset inwardly compared to the non-deforming portion.

Response to Arguments

4. Applicant's arguments filed 6/8/05 have been fully considered but are moot due to the new ground of rejection.

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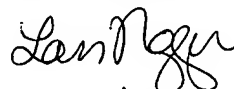
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan Nguyen whose telephone number is (571) 272-7121. The examiner can normally be reached on M-F, 8 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lan Nguyen
Primary Examiner
Art Unit 3683


6/22/05